IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 908 OF 2004

SHRI BHANUDAS ALIAS BABAN M.KUNKERKAR,SATTARI GOA ....Applicant

Versus

SHRI NARAYAN M.SHIRODKAR,SANKHALI GOA. ....Respondent

Mr. Arun Bras de Sa, Advocate for the applicant.

Coram:- R. M. LODHA, J.

Date:- 21st October, 2005

P.C.

Heard Mr. Arun Bras de Sa, Advocate for the applicant. Nobody appears for the respondent despite service.

2. From the perusal of the civil application it transpires that the delay in filing the appeal occurred because of illness of the applicant and also due to paucity of funds. The facts stated in this civil application remain untraversed as the respondent has not chosen to contest this civil application. I am satisfied that the applicant was prevented by sufficient cause in filing the second appeal in time.

3. Miscellaneous civil application is granted. The delay in filing the second appeal is condoned. Office to process the second appeal and post it for admission.

4. Miscellaneous civil application stands disposed of accordingly.

R. M. LODHA, J.

ssm.